



Minutes of an ordinary meeting of Council held in  
the Council Chamber, Level 2 Philip Laing House  
144 Rattray Street, Dunedin on  
Wednesday 23 October 2019 at 10 a.m.

**Membership**

Hon Marian Hobbs                    *(Chairperson)*  
Cr Michael Laws                    *(Deputy Chairperson)*  
Cr Hilary Calvert  
Cr Michael Deaker  
Cr Alexa Forbes  
Cr Carmen Hope  
Cr Gary Kelliher  
Cr Kevin Malcolm  
Cr Andrew Noone  
Cr Gretchen Robertson  
Cr Bryan Scott  
Cr Kate Wilson

**Welcome**

Chief Executive Gardner welcomed the Councillors-elect, members of the public and staff to the meeting at 10:00 am.

*For our future*

## **1. APOLOGIES**

No apologies were made.

## **2. CONFIRMATION OF AGENDA**

The agenda was confirmed. Councillor-elect Laws foreshadowed a motion to adjourn the meeting after the Councillors were sworn in.

## **3. DECLARATION OF INTERESTS**

Chief Executive Gardner reminded the Councillors-elect to inform of potential conflicts of interest.

## **4. PUBLIC FORUM**

No public forum was held.

## **5. MATTERS FOR COUNCIL DECISION**

### **5.1. Declaration of Office by Councillors**

Chief Executive Gardner called for each Councillor-elect to read and sign the declaration which she then witnessed. After all declarations were attested to and signed, Mrs Gardner congratulated the Councillors and welcomed them to the Otago Regional Council.

Cr Laws made a motion to adjourn the meeting for the purpose of discussion between elected members as to preferred governance structure for the next 3 years, with aim of reconvening on this day. The motion was seconded by Cr Malcolm. Chief Executive Gardner said as Chair of the meeting, she was required by Standing Orders to immediately put the motion with no debate or discussion. Several Councillors asked for clarification. Chief Executive Gardner stated this was a procedural motion with no request to suspend Standing Orders and she put the motion to a vote.

### **Resolution**

- 1) *That the meeting be adjourned for the purpose of discussion between elected members as to preferred governance structure for the next 3 years, with aim of reconvening on this day.*

Moved: Cr Laws

Seconded: Cr Kevin Malcolm

FAILED

### **5.2. Voting System for Certain Appointments**

CE Gardner summarised the voting system options for election of the Chairperson and Deputy Chairperson that the Councillors would need to select. A discussion was held about the two different systems and CE Gardner asked for a motion.

### **Resolution**

*That the Council:*

- 1) **Agrees** that in the event of a tie between voting systems A and B, it will be resolved by lot as described in paragraph 5 of the report.

Moved: Cr Laws  
Seconded: Cr Robertson  
CARRIED

### **Resolution**

*That the Council:*

- 1) ***Resolves Voting System A (election by the majority of members) is the voting option for the election or appointment of positions defined by the Local Government Act 2002 for certain appointments.***

Moved: Cr Scott  
Seconded: Cr Wilson  
CARRIED

### **Resolution**

*That the Council:*

- 1) ***Agrees that in the event of a tie under voting system A, the candidate to be excluded from the next round of voting shall be resolved by lot as described in paragraph 5 of the report.***

Moved: Cr Noone  
Seconded: Cr Wilson  
CARRIED

### **5.3. Election of Chairperson**

After adoption of Voting System A was made, Chief Executive Gardner called for nominations for Chairperson.

Cr Deaker nominated Cr Robertson and Cr Hope seconded her nomination. Cr Forbes nominated Cr Hobbs and Cr Wilson seconded her nomination. Cr Calvert nominated Cr Noone. Cr Noone thanked Cr Calvert for the nomination but said he would not accept the nomination. Cr Kelliher nominated Cr Laws and Cr Calvert seconded his nomination.

Cr Laws asked that each nominee be given time to speak to their nomination and then allow questions of each nominee by Councillors, to be followed by time for the nominators to speak. The Councillors agreed on that format and Chief Executive Gardner confirmed each nominee would speak, Councillors would be provided the opportunity for questions, then the movers/seconders would get a right of reply prior to the vote.

Cr Robertson addressed the group, stating her focus for the triennium and the skills she would bring to the role of Chairperson. She said she wanted to harness the strength of the community and to prioritise those relationships. Cr Hobbs then addressed the group, stating she wanted to work with the Councillors, community, and territorial authorities to drive environmental issues including land use, and air and water quality. Cr Laws addressed the group stating he wants bring a culture change around the Council table, shifting to being a proactive council on all environmental issues.

Each Councillor was then provided an opportunity to ask questions of each of the three nominees. During the question period, CE Gardner suggested a twenty minute break for lunch, with Councillor questions for nominees to resume promptly after that. The meeting was then adjourned for twenty minutes at 12:02 p.m.

CE Gardner called the meeting back into order at 12:22 p.m. and questions for the nominees resumed. Cr Deaker and Cr Hope then spoke to their nomination of Cr Robertson, and Cr Forbes and Cr Wilson spoke to their nomination of Cr Hobbs.

Cr Laws then withdrew his nomination and stated he would support the election of Cr Hobbs as Chairperson. As there were no further questions or deliberations, CE Gardner called for votes for Chairperson. The vote resulted as follows:

**Cr Robertson:** Cr Deaker, Cr Hope, Cr Noone, Cr Robertson, Cr Scott

**Cr Hobbs:** Cr Forbes, Cr Wilson, Cr Calvert, Cr Hobbs, Cr Kelliher, Cr Laws, Cr Malcolm

**Cr Hobbs was elected Chairperson of the Otago Regional Council, 7 votes to 5.**

#### **5.4. Election of Deputy Chairperson**

Cr Hobbs attested to and signed the declaration which was witnessed by Chief Executive Gardner. Chairperson Hobbs then took the Chair and called for nominations for Deputy Chairperson.

Cr Calvert nominated Cr Laws for Deputy Chairperson and Cr Wilson seconded his nomination. Cr Deaker nominated Cr Noone for Deputy Chairperson and Cr Robertson seconded his nomination. Cr Hope nominated Cr Robertson for Deputy Chairperson. Cr Robertson declined the nomination as she felt the Chair and Deputy Chair should come from different regions of the territory.

Chairperson Hobbs asked the Councillors to vote on the two nominees for Deputy Chairperson. The vote was:

**Cr Laws:** Cr Calvert, Cr Wilson, Cr Forbes, Cr Hobbs, Cr Kelliher, Cr Laws, Cr Malcolm

**Cr Noone:** Cr Deaker, Cr Robertson, Cr Hope, Cr Noone, Cr Scott

**Cr Laws was elected Deputy Chairperson of the Otago Regional Council by a vote of 7 to 5.**

#### **5.5. Adoption of Meeting Date Schedule to December 2020**

*Cr Laws left the meeting at 01:08 pm.*

*Cr Laws returned to the meeting at 01:10 pm.*

Chairperson Hobbs noted the paper which proposed a draft meeting schedule through December 2020. Staff noted the meeting schedule can be amended at any time. Chairperson Hobbs then asked for a motion.

#### **Resolution**

*That the Council:*

- 1) **Adopts** the attached draft Schedule of Council and Committee meetings to December 2020.

Moved: Cr Calvert

Seconded: Cr Wilson

CARRIED

After the meeting schedule was adopted, Cr Wilson suggested a report from staff on alternative governance structure of portfolio or project leads and catchment leads be provided to the Councillors prior to the next meeting. Chief Executive Gardner agreed. Cr Wilson then moved:

**Resolution:**

- 1) *That staff prepare a report prior to the 13 November 2019 meeting on alternative governance structure of portfolio or project leads and catchment leads.*
- 2) *Note that what those leads may be will be decided by Council after the strategic planning day on 12 November 2019, along with time frames and delegations.*

Moved: Cr Wilson

Seconded: Cr Noone

CARRIED

## 6. MATTERS FOR NOTING

### 6.1. Key Legislation Update (LGA 2002)

Mr Paul Beverley, Buddle Findlay, and ORC Legal Counsel Peter Kelliher provided the Councillors with a summary of the legislative requirements identified in Clause 21(5)(c) of schedule 7 of the Local Government Act (LGA). Mr Beverley said this clause requires that certain legislation must be brought to the attention of Councillors at the first meeting of Council.

*Cr Wilson left the meeting at 01:27 pm.*

*Cr Laws left the meeting at 01:33 pm.*

*Cr Laws returned to the meeting at 01:35 pm.*

After a general discussion of the legislation, Chairperson Hobbs thanked Mr Beverley and Mr Kelliher and adjourned for a break at 1:45 p.m.

Chairperson Hobbs reconvened the meeting at 2:15 p.m. Chairperson Hobbs then provided time for each Councillor to give a brief introductory.

## 8. CLOSURE

As there was no further business, Chairperson Hobbs declared the meeting closed at 02:51 pm.

Marian H. Hobbs  
Chairperson

13th November, 2019  
Date